

## REMARKS

The Applicant has carefully reviewed the Office Action mailed March 24, 2009 and offers the following remarks to accompany the above amendments.

Prior to addressing the rejections, the Applicant wishes to point out that on page 10 of the Office Action mailed March 24, 2009, the Patent Office rejects claims 6 and 27 by indicating that U.S. Patent Application Publication No. 2004/0122934 A1 to *Westman et al.* discloses that a control system is adapted to “combine certain communication information associated with the packet communications for each of the plurality of packet communication clines and non-packet communication clients into a common database.” The Applicant wishes to point out that neither claim 6 nor claim 27 recites “non-packet communication clients.” Accordingly, claims 6 and 27 should not be construed as including such features.

Claims 1-4, 7, 9-11, 19, 22-25, 28, 30-32, 40, and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0243680 A1 to *Mayer* (hereinafter “*Mayer*”) in view of U.S. Patent Application Publication No. 2004/0122934 A1 to *Westman et al.* (hereinafter “*Westman*”). The Applicant respectfully traverses the rejection.

When rejecting a claim under § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.<sup>1</sup> The gap between the prior art and the claimed invention may not be “so great as to render the [claim] nonobvious to one reasonably skilled in the art.”<sup>2</sup> In this case, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art. More specifically, claim 1 has been amended to recite a personal communication device comprising, among other features, a control system adapted to provide a plurality of packet communication clients associated with unique IDs, where “each of the unique IDs [are] uniquely associated with distinct service nodes.” Claim 22 has been amended to

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<sup>1</sup> Examination Guidelines for Determining Obviousness Under 35 U.S.C. § 103 in View of the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.*, published in the Federal Register, Vol. 72, No. 195, pages 57526-57535.

<sup>2</sup> *Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q.(BNA) 257, 261 (1976).

include similar features. The Applicant has reviewed both *Mayer* and *Westman* and submits that neither reference, either alone, or in combination, discloses or suggests providing a plurality of communication clients associated with unique IDs, where each of the unique IDs are uniquely associated with distinct service nodes. Accordingly, claims 1 and 22, along with claims 2-4, 7, 9-11, 19, 23-25, 28, 30-32, 40, and 42, which depend therefrom, are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

Claims 5, 6, 26, and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mayer* in view of *Westman* and further in view of U.S. Patent Application Publication No. 2005/0170854 A1 to *Benco et al.* (hereinafter “*Benco*”). The Applicant respectfully traverses the rejection. As discussed above, claims 1 and 22, the base claims from which claims 5, 6, 26, and 27, respectively depend, are patentable over *Mayer* and *Westman*. In addition, *Benco* does not overcome the problems of both *Mayer* and *Westman*. Accordingly, claims 5, 6, 26, and 27 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

Claims 8 and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mayer* in view of *Westman* and further in view of U.S. Patent No. 6,574,467 B1 to *Jonsson* (hereinafter “*Jonsson*”). The Applicant respectfully traverses the rejection. As detailed above, claims 1 and 22, the base claims from which claims 8 and 29 respectively depend, are patentable over *Mayer* and *Westman*. *Jonsson* does not cure the deficiencies of *Mayer* and *Westman*. As such, claims 8 and 29 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

Claims 12-15, 20, 33-36, and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mayer* in view of *Westman* and further in view of U.S. Patent Application Publication No. 2004/0131078 A1 to *Gupta et al.* (hereinafter “*Gupta*”). The Applicant respectfully traverses the rejection. As previously noted, claims 1 and 22, the base claims from which claims 12-15, 20, 33-36, and 41, variously depend, are patentable over *Mayer* and *Westman*. In addition, *Gupta* does not overcome the problems of both *Mayer* and *Westman*. Accordingly, claims 12-15, 20, 33-36, and 41 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

Claims 16-18 and 36-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mayer* in view of *Westman* and further in view of *Gupta* and *Benco*. The Applicant respectfully traverses the rejection. As discussed above, claims 1 and 22, the base claims from

which claims 16-18 and 36-39 respectively depend, are patentable over *Mayer, Westman, Gupta*, and *Benco*. Thus, claims 16-18 and 36-39 are also patentable over *Mayer, Westman, Gupta*, and *Benco* and the Applicant requests that the rejection be withdrawn.

The present application is now in a condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact the Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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